

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

**DARRELL EUGENE BANKS
REG# 23612-058**

PLAINTIFF

v.

CASE NO. 2:13CV00121 BSM

**FEDERAL BUREAU
OF PRISONS et al.**

DEFENDANTS

ORDER

The proposed findings and partial recommended disposition submitted by United States Magistrate Judge H. David Young have been reviewed, along with the objections filed. After careful consideration and a *de novo* review of the record, it is concluded that the proposed findings and partial recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion for summary judgment filed by defendant USA [Doc. No. 26] is GRANTED, plaintiff's claims against the USA are DISMISSED WITHOUT PREJUDICE, and the USA's name is removed as a party defendant.
2. The motion for summary judgment filed by defendants Darlene Gallardo, Theron Houston, Brenda Hoy, Steven Norris, T.C. Outlaw, Nader Peikar, and Mary Ellen Rivers-Graham [Doc. No. 29] is GRANTED to the extent that plaintiff's *Bivens* claims against them in their official capacities are DISMISSED WITH PREJUDICE and DENIED in all other respects.

3. The motion for summary judgment filed by defendant Misty Rios [Doc. No. 32] is GRANTED, plaintiff's claims against Rios are DISMISSED WITH PREJUDICE, and Rios's name is removed as a party defendant.

DATED this 31st day of March 2014.


UNITED STATES DISTRICT JUDGE